

REMARKS

Claims 1 through 23 are currently pending in the application.

This amendment is in response to the Office Action of May 9, 2006.

35 U.S.C. § 102(b) Anticipation Rejections

Anticipation Rejection Based on Lastinger (U.S. Patent No. 6,104,311)

Claims 1 through 23 were rejected under 35 U.S.C. § 102(b) as being anticipated by Lastinger (U.S. Patent No. 6,104,311).

Applicant asserts that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Brothers v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

After carefully considering the cited prior art, the rejections, and the Examiner's comments, Applicant has amended the claimed invention to clearly distinguish over the cited prior art.

Applicant asserts the Lastinger reference cannot and does not anticipate the claimed inventions of presently amended independent claims 1, 10, 16, and 22 under 35 U.S.C. § 102 because the Lastinger reference does not identically describe, either expressly or inherently, each and every element of the claimed inventions in as complete detail as is contained in the claims. Applicant asserts that the Lastinger reference does not identically describe the elements of the claimed inventions of presently amended independent claims 1, 10, 16, and 22 calling for "at least one antenna coupled to the internal circuitry for evaluating an antenna response to at least one test signal for the at least one antenna to do one of accepting the radio frequency communication device, rejecting the radio frequency communication device, coupling an antenna segment to the antenna, and detaching an antenna segment from the antenna", ". . . at least one of a transmitter, a receiver, a processor, an input device, an output device, data storage, and memory, the system further comprising at least one radio frequency identification tag associated therewith, the radio frequency identification tag comprising internal circuitry coupled to an

antenna for evaluating an antenna response to at least one test signal for the at least one antenna to do one of accepting the radio frequency identification tag , rejecting the radio frequency identification tag , coupling an antenna segment to the antenna, and detaching an antenna segment from the antenna, the antenna including at least one antenna segment associated therewith through at least one of a fuse and an antifuse”, and “. . . evaluating an antenna response to at least one test signal; and in response to an evaluation result, doing one of: accepting the radio frequency communication device; rejecting the radio frequency communication device; coupling an antenna segment to the antenna; and detaching an antenna segment from the antenna”. Applicant asserts that the Lastinger reference contains no such description of such elements of the inventions set forth in presently amended independent claims 1, 10, 16, and 22. Therefore, presently amended independent claims 1, 10, 16, and 22 are allowable as well as the dependent claims therefrom.

Applicant submits that claims 1 through 23 are clearly allowable over the cited prior art.

Applicant requests the allowance of claims 1 through 23 and the case passed for issue.

Respectfully submitted,



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